

032404
22763 U.S.PTO

22857 U.S.PTO
10/808654

032404


UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 7016.P001
(maximum 12 characters)

First Named Inventor Rex Sandwith

Title: XML GENERATOR FOR OBJECTS WITH BINARY BRANCHING TOPOLOGY

Express Mail Label No. EV320120133US

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 17)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 7)
5. Oath or Declaration (Total Pages 4)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).
 - c. Unsigned.
6. Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. _____ Assignment Papers (cover sheet & documents(s))

10. _____ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
_____ X b. Power of Attorney

11. _____ English Translation Document (if applicable)

12. _____ a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08)
_____ b. Copies of IDS Citations

13. _____ Preliminary Amendment

14. _____ X Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. _____ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. _____ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17A. _____ Claim for Foreign Priority

17B. _____ X Other: separate sheet with title, express mail label number, copy of postcard, and attorney's signature

17C. X Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: _____ Examiner _____ Group Art Unit _____
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. Correspondence Address
Customer Number or Bar Code Label**
or _____ (Insert Customer No. or Attach Bar Code Label)

Correspondence Address Below
Dr Alan Burnett

NAME R. Alan Burnett
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Boulevard

ADDRESS 12400 Wilshire Boulevard
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025

CITY Los Angeles **STATE** California **ZIP CODE** 90025
Country U.S.A. **TELEPHONE** (206) 292-8600 **FAX** (206) 292-8606

COUNTRY U.S.A. **TELEPHONE** (206) 292-8600 **FAX** (206) 292-8606

Name (PRINT/TYPE): P. Alan Burnett Registration No.: 46-148

Name (PRINT/TYPE): R. Alan Burnett Registration No.: 46,149

Name (PRINT/TYPE): R. Alan Burnett Registration No.: 46,149

Name (PRINT/TYPE): R. Alan Burnett Registration No.: 46,149
Signature: R. Alan Burnett Date: March 24, 2004

FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 385.00

Complete if Known:

Application No. New Patent Application
 Filing Date Herewith
 First Named Inventor Rex Sandwith
 Examiner Name Not yet assigned
 Art Unit Not yet assigned
 Attorney Docket No. 7016.P001

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

____ Charge fee(s) indicated below.

Credit any overpayments.

Charge any additional fees during the pendency of this application.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

____ Charge fee(s) indicated below except for the filing fee.

FEE CALCULATION

1. BASIC FILING FEE

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
1001	770	2001	385
1002	340	2002	170
1003	530	2003	265
1004	770	2004	385
1005	160	2005	80
		Utility application filing fee	<u>385</u>
		Design application filing fee	_____
		Plant filing fee	_____
		Reissue filing fee	_____
		Provisional application filing fee	_____
SUBTOTAL (1)			<u>\$ 385</u>

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims <u>8</u>	<u>- 20** = 0</u>	<u>X 18</u>	<u>= 0</u>
Independent Claims <u>2</u>	<u>- 3** = 0</u>	<u>X 86</u>	<u>= 0</u>
Multiple Dependent		<u>=</u>	<u>=</u>

**Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>
Fee	Fee	Fee
Code	(\$)	Code
1202	18	2202 9
1201	86	2201 43
1203	290	2203 145
1204	86	2204 43
1205	18	2205 9
		Claims in excess of 20
		Independent claims in excess of 3
		Multiple dependent claim, if not paid
		**Reissue independent claims over original patent0
		**Reissue claims in excess of 20 and over original patent0
SUBTOTAL (2)		<u>\$ 0</u>

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	420	2252	210
1253	950	2253	475
1254	1,480	2254	740
1255	2,010	2255	1,005
1401	330	2401	165
1402	330	2402	165
1403	290	2403	145
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,330	2453	665
1501	1,330	2501	665
1502	480	2502	240
1503	640	2503	320
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	770	2809	385
1814	110	2814	55
1810	770	2810	385
1801	770	2801	385
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,330	1454	1,330
Acceptance of unintentionally delayed claim for priority			

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: R. Alan BurnettSignature: R. Alan Burnett Date: March 24, 2004Reg. Number: 46,149 Telephone Number: (206) 292-8600

Send to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Our Reference: 7016.P001

Patent

XML GENERATOR FOR OBJECTS WITH BINARY BRANCHING TOPOLOGY

Inventor: Rex Sandwith

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

R. Alan Burnett

R. Alan Burnett
Reg. No. 46,149

"Express Mail" mailing label number: EV320120133US

Date of Deposit: March 24, 2004

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Adrian Villarreal

(Typed or printed name of person mailing paper or fee)

Adrian Villarreal March 24, 2004

(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No. New Patent Application Filing/Issue Date: Herewith
Client: Rex Sandwith
Title: XML GENERATOR FOR OBJECTS WITH BINARY BRANCHING TOPOLOGY

BSTZ File No. 7016_P001

Atty/Secty Initials: RAB/av

Date Mailed: March 24, 2004

Docket Due Date:

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input checked="" type="checkbox"/> Express Mail No.: <u>EV320120133US</u> | <input type="checkbox"/> Check No. <u>3428</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> Month(s) Extension of Time | Amt: <u>\$385.00</u> |
| <input checked="" type="checkbox"/> Application - Utility (<u>17</u> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.) | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal | Amt: _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input type="checkbox"/> Petition for _____ | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) | |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input checked="" type="checkbox"/> Declaration & POA (<u>4</u> pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate | |
| <input checked="" type="checkbox"/> Drawings: <u>7</u> # of sheets includes <u>10</u> figures | <input type="checkbox"/> Fee Transmittal, in duplicate | |
| <input checked="" type="checkbox"/> Other: <u>Certificate of Mailing with copy of return postcard signed by the attorney</u> | | |